

Remarks

After amendment, claims 40 and 50-56 remain pending in the present application after cancellation of claim 66 which is directed to a method of treating cutaneous malignancy. Claims 57-65 and 1-39 were previously canceled. No new matter has been added by way of this amendment.

Applicants note that any subject matter which is cancelled herein, including any subject matter canceled from the original claims is made *without prejudice* in order to give Applicant a chance to consider filing any one or more divisional/continuation applications to seek allowance of that subject matter. The present amendments have been made to expedite allowance of the instant application and in particular, to address the Examiner's advisory action of February 22, 2010. The presently pending claims are now directed to the use of the compounds as claimed in treating solid tumors and cancers as otherwise set forth in the claims. The treatment of the claimed tumors/cancers as set forth in the claims is consistent with the activity of the claimed compounds as anti-angiogenesis agents. Claim 66, directed to the treatment of cutaneous malignancy, is canceled herein to expedite allowance of the instant application.

Applicants also wish to note that the presently claimed invention is directed to a method of treating a tumor or cancer in a patient in need thereof. The present invention, as presently claimed, is not directed to a method of prophylaxis or prevention.

It is respectfully submitted that the presently claimed invention meets the requirements of 35 U.S.C. § 112, first paragraph. No other rejections of the previously pending claims were made by the Examiner.

For all of the reasons which are set forth hereinabove, Applicants respectfully submit that the application is in condition for allowance and early action resulting in allowance of the instant application is earnestly solicited.

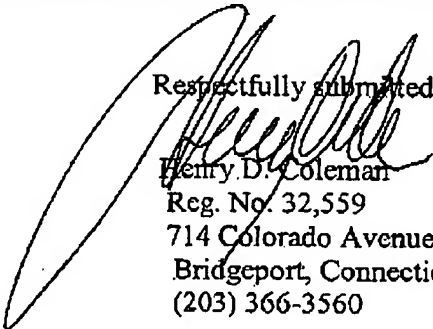
S.N. 10/502,080
B40-002.Amendment Response 3-15

4

No fee is due for the presentation of this amendment. Please charge any fee due or credit any overpayment previously made to Deposit Account No. 04-0838.

Dated: March 15, 2010

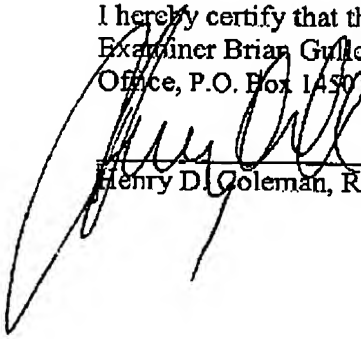
Respectfully submitted,



Henry D. Coleman
Reg. No. 32,559
714 Colorado Avenue
Bridgeport, Connecticut 06605
(203) 366-3560

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being sent by facsimile transmission to Examiner Brian Gullledge in Group Art Unit 1612 in the United States Patent Office, P.O. Box 1450 Alexandria, VA 22313-1450 on March 15, 2010.



Henry D. Coleman, Reg. No. 32,559

S.N. 10/502,080

B40-002.Amendment Response 3-15

5